



Practitioner's Docket No. 100700.0024US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Miljkovic, Dusan; Duell, Brad L; Miljkovic, Vukosava

Application No.: 10/552945

Group No.: To be assigned

Filed: October 13, 2005

Examiner: To be assigned

For: LOW-MYCOTOXIN COFFEE CHERRY PRODUCTS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

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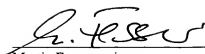
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Date: 01/11/06



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Sheet 1 of 1

Complete if Known

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| Application Number | 10/552945 |
| Filing Date | 10/13/2005 |
| First Named Inventor | Dusan Mijlkovic |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 100700.0024US1 |

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|----------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | | US- 4436756 | 03/13/1984 | Canella, et al. | |
| | | US- 5935623 | 08/10/1999 | Alonso-Debolt | |
| | | US- 5716820 | 02/10/1998 | Duvick, et al. | |
| | | US- 6025188 | 02/15/2000 | Duvick, et al. | |
| | | US- 5639794 | 06/17/1997 | Emerson, et al. | |
| | | US- 4199606 | 04/22/1980 | Bland | |
| | | US- 5698599 | 12/16/1997 | Subbiah | |
| | | US- 3798323 | 03/19/1974 | Leary | |
| | | US- 4165752 | 08/28/1979 | Bustamante | |
| | | US- 6376001 | 04/23/2002 | Fabian | |
| | | US- 6048559 | 04/11/2000 | Fabian | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|----------|---|--------------------------------|--|---|----------------|
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | | CA 1104410 | 07/07/1981 | Bustamante | | |
| | | GB 2026839 | 02/13/1980 | Bustamante | | |
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| Examiner Signature | /Hong Mehta/ | Date Considered | 11/24/2008 |
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